

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 IO-13 ISO-00 AF-08 ARA-06 EA-07 NEA-10

OIC-02 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03

H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01

AID-05 CIEP-01 SS-15 STR-04 ITC-01 TRSE-00 USIA-06

PRS-01 SP-02 FEAE-00 OMB-01 XMB-02 /140 R

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STR:JSTARKEY

COMMERCE:DSCHLECTY

TREASURY:WBARREDA

LABOR:DWANNAMAKER

USDA:GFRASER

STR:AWOLFF

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R 150609Z SEP 76

FM SECSTATE WASHDC

TO USMISSION GENEVA

USMISSION EC BRUSSELS

INFO USDEL MTN GENEVA

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY THE HAGUE

AMEMBASSY PARIS

AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: ETRD, GATT

SUBJECT: GATT COUNCIL: U.S. REQUEST FOR PANEL ON NFDM

REF: GENEVA 6840

1. U.S. POSITION AT SEPTEMBER 17 GATT COUNCIL MEETING
WILL BE TO PRESS FOR ESTABLISHMENT OF GATT PANEL
UNDER ARTICLE XXIII (2) TO EXAMINE OUR COMPLAINT
CONCERNING THE EC'S DISPOSAL PROGRAM FOR NFDM. WE
SEE NO REASON FOR EC TO OPPOSE WORDING OF U.S. COMPLAINT
(PARA. 2 BELOW) AND ASSUME THAT THIS WILL NOT BE AN
ISSUE AT SEPTEMBER 17 MEETING. THE FOLLOWING WORDING
SHOULD BE ACCEPTABLE TO THE COUNCIL; NO BILATERAL
NEGOTIATION OF TERMS OF RERENCE IS CONTEMPLATED.

2. BEGIN TEXT:

THE COUNCIL AGREES TO ESTABLISH A PANEL UNDER PARAGRAPH 2
OF ARTICLE XXIII OF THE GENERAL AGREEMENT TO EXAMINE
THE COMPLAINT OF THE UNITED STATES WITH RESPECT TO
CERTAIN ELEMENTS OF THE CURRENT PROGRAM OF THE EUROPEAN
COMMUNITY TO DISPOSE OF SURPLUS NON-FAT DRY MILK, THE
COMPLAINT BEING THE FOLLOWING:

-- THE REQUIREMENT THAT A SPECIFIED AMOUNT OF
DENATURED NON-FAT DRY MILK BE PURCHASED FROM EC STOCKS,
UNDER PENALTY OF FORFEITURE OF A DEPOSIT, FOR EVERY
UNIT OF VEGETABLE PROTEIN PURCHASED, IS A MIXING
REGULATION INCONSISTENT WITH THE OBLIGATIONS OF THE
EC UNDER THE AGREEMENT;

-- THE EFFECT OF THE PROGRAM IS TO IMPAIR BINDINGS
ON TARIFF CONCESSIONS MADE BY THE EC TO THE UNITED
STATES ON SOYBEANS, SOYBEAN MEAL, SOYBEAN CAKE, AND
OTHER FEEDSTUFFS.

END TEXT.

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3. USEC REQUESTED TO INFORM EC IN ADVANCE OF FRIDAY'S
MEETING THAT WE MAINTAIN OUR INTEREST IN A GATT PANEL
ON THE NFDM MIXING REGULATION, AND THAT WE WILL
PROPOSE TEXT SET FORTH PARA. 2 TO GATT COUNCIL ON
SEPTEMBER 17. MISSION SHOULD DRAW ON POINTS SET
FORTH IN STATE 172159 DURING COUNCIL DEBATE; IF NEEDED,
TO EXPLAIN SPECIFIC ELEMENTS OF OUR OBJECTIONS TO
NFDM PROGRAM.

4. IN DISCUSSIONS WITH EC OFFICIALS, MISSION SHOULD
AVOID SUGGESTION THAT PANEL NEED NOT MEET IN THE EVENT
THE NFDM PROGRAM EXPIRES PROMPTLY. ROBINSON

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04 MAY 2006

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TAGS: ETRD, US, GATT
To: GENEVA EC BRUSSELS
Type: TE
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